

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	Criminal No. 03-334-A
)	
v.)	
)	
DONGHUA XUE,)	
)	
Defendant)	

STATEMENT OF FACTS

The United States and the defendant DONGHUA XUE agree that had this matter proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt:

1. In April 2001, in the Eastern District of Virginia, the defendant, DONGHUA XUE, a resident of McLean, Virginia, after consultation with his wife, Zhan Gao, who was out of the country at the time, did willfully disclose and deliver to the Secretary of the Treasury a joint U.S. Individual Income Tax Return for the calendar year 2000, and did aid and abet his wife in the disclosure and delivery of the same to the Secretary.

2. At the time XUE signed and submitted this joint return, he knew that it was fraudulent and false as to a material matter, in that the return reported no gross receipts or sales, when in fact, as the defendant then and there well knew and believed, the defendant's wife had received gross receipts or sales.

3. The return was verified by a written declaration, signed by XUE, that it was made under the penalties of perjury and was filed with the Internal Revenue Service.

Respectfully submitted,

PAUL J. McNULTY
UNITED STATES ATTORNEY

By:

James P. Gillis
Kathleen M. Kahoe
Assistant United States Attorneys

After consulting with my attorneys and pursuant to the plea agreement entered into this day between the defendant, DONGHUA XUE, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

DONGHUA XUE
Defendant

I am DONGHUA XUE's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Peter White, Esquire
Attorney for DONGHUA XUE